

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 5 - HB 10**

January 31, 2017

**SUMMARY OF BILL:** Requires the Administrative Office of the Courts (AOC) to assess the population, caseload, and number of judges for each judicial district at least two years prior to each August general election, beginning prior to the August 2022 election, and every eight years thereafter.

Requires the AOC to report its findings and any recommended changes to judicial districts to the Judiciary Committee of the Senate and the Civil Justice Committee of the House of Representatives.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures –**

**\$150,000/FY18-19 and Every Eight Years Thereafter**

**\$50,000/FY19-20 and Every Eight Years Thereafter**

**Assumptions:**

- Tennessee Code Annotated § 16-2-501 expresses the General Assembly's intent to reorganize the existing trial court system in such a way that its growth occurs in a logical and orderly manner.
- The proposed legislation deletes Tenn. Code Ann. § 16-2-501 and rewrites it to express the General Assembly's intent that judicial districts should periodically be realigned to give each citizen equal access to justice.
- Tennessee Code Annotated § 16-2-513 charges the Comptroller of the Treasury with devising and maintaining a weighted caseload formula for the purpose of determining the need for creation or reallocation of judicial positions using case weights from the most recent weighted caseload study. The proposed legislation does not impact the Comptroller's statutory duty to perform this study.
- The proposed legislation, however, requires the AOC to study the courts' caseload in conjunction with population and the number of judges in each judicial district.
- The proposed legislation will impact the AOC's current operations.
- The AOC indicates that it will contract with the National Center for State Courts (NCSC), the same vendor the Comptroller used for its weighted caseload study, to perform the AOC's caseload study.
- It is assumed that the AOC will perform the caseload and population study in FY18-19.

- NCSC charges approximately \$150,000 for a judicial time study. The AOC will recognize an increase in state expenditures estimated to be \$150,000 once every eight years beginning in FY18-19.
- After the study is performed, the AOC will need to analyze the data and develop its report and recommendations. The AOC will need to contract with consultants specializing in assessing judicial districts and the allocation of judges.
- The AOC will also contract with NCSC as consultants once the study is complete. NCSC's consulting services would require an increase in state expenditures estimated to be \$50,000 once every eight years beginning in FY19-20.
- It is assumed that any other impact to the AOC in developing the report will be not significant and can be accommodated within existing resources.

### **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/trm